



# SENATE JOINT RESOLUTION No. 1

## DIGEST OF INTRODUCED RESOLUTION

**Citations Affected:** Article 10, Section 1 of the Constitution of the State of Indiana.

**Synopsis:** Circuit breakers and other property tax matters. Proposes an amendment to the state constitution to: (1) require the general assembly to exempt a homestead from tax liability that exceeds 1% of the assessed value of the property; (2) permit the general assembly to limit the tax liability of other types of property; (3) permit the general assembly to exempt a mobile home used as a homestead to the same extent as real property; (4) specify that an exemption may be granted in the form of a deduction or credit; and (5) specify that the general assembly may impose reasonable filing requirements to obtain an exemption, deduction, or credit. This proposed amendment has not been previously agreed to by a general assembly.

**Effective:** This proposed amendment must be agreed to by two consecutive general assemblies and ratified by a majority of the state's voters voting on the question to be effective.

**Kenley**

November 20, 2007, read first time and referred to Committee on Tax and Fiscal Policy.

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PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

## SENATE JOINT RESOLUTION No. 1

A JOINT RESOLUTION proposing an amendment to Article 10, Section 1 of the Constitution of the State of Indiana concerning taxation.

*Be it resolved by the General Assembly of the State of Indiana:*

- 1 SECTION 1. The following amendment to the Constitution of the
- 2 State of Indiana is proposed and agreed to by this, the One Hundred
- 3 Fifteenth General Assembly of the State of Indiana, and is referred to
- 4 the next General Assembly for reconsideration and agreement.
- 5 SECTION 2. ARTICLE 10, SECTION 1 OF THE CONSTITUTION
- 6 OF THE STATE OF INDIANA IS AMENDED TO READ AS
- 7 FOLLOWS: Section 1. (a) **Subject to this section**, the General
- 8 Assembly shall provide, by law, for a uniform and equal rate of
- 9 property assessment and taxation and shall prescribe regulations to
- 10 secure a just valuation for taxation of all property, both real and
- 11 personal.
- 12 **(b) A provision of this section permitting the General Assembly**
- 13 **to exempt property from taxation also permits the General**



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1 **Assembly to exercise its legislative power to enact property tax**  
 2 **deductions and credits for the property. The General Assembly**  
 3 **may impose reasonable filing requirements for an exemption,**  
 4 **deduction, or credit.**

5 **(c)** The General Assembly may exempt from property taxation any  
 6 property in any of the following classes:

7 (1) Property being used for municipal, educational, literary,  
 8 scientific, religious, or charitable purposes.

9 (2) Tangible personal property other than property being held as  
 10 an investment.

11 (3) Intangible personal property.

12 (4) Tangible ~~real~~ property, including curtilage, used as a principal  
 13 place of residence by an:

14 (A) owner of the property;

15 (B) individual who is buying the tangible ~~real~~ property under  
 16 a contract; or

17 (C) individual who has a beneficial interest in the owner of the  
 18 tangible ~~real~~ property.

19 ~~(b)~~ **(d)** The General Assembly may exempt any motor vehicles,  
 20 mobile homes **(not otherwise exempt under subsection (c)(4) or (e))**,  
 21 airplanes, boats, trailers, or similar property, provided that an excise tax  
 22 in lieu of the property tax is substituted therefor.

23 **(e) The General Assembly shall, by law, exempt tangible**  
 24 **property described in subsection (c)(4) from tax liability that**  
 25 **exceeds one percent (1%) of the assessed value of the property that**  
 26 **is the basis for the determination of property taxes. The General**  
 27 **Assembly may, by law, limit the tax liability of other property to a**  
 28 **percentage of the assessed value of the property that is the basis for**  
 29 **the determination of property taxes. The limit on the tax liability**  
 30 **that is enacted for other property may not be less than the limit**  
 31 **enacted for property described in subsection (c)(4).**

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